

Report of Investigation

Controlled Delivery – U.S. Postal Inspection Service & Western Enforcement Bureau
19850 Parklane Rd, Rocky River, OH 44116

On Saturday, June 1, 2013, a Supervisor at the Rocky River, Ohio 44116 Post Office contacted the U.S. Postal Inspection Service Cleveland Field Office regarding U.S. Postal Service Priority Mail parcels bearing tracking numbers 420441169505500034933150000048 and 420441169505500034933150000031, addressed to Brody Baum, 19850 Parklane Rd, Rocky River, OH 44116, with return addresses of Randy Stewart, 315 W 6th St Apt 901, Los Angeles, CA 90071. The Supervisor stated the Priority Mail parcels emitted a smell of marijuana. Additionally, the supervisor spoke with the USPS Letter Carrier for the delivery address and learned the addressee (Brody Baum) was not recognized at the address. The Supervisor stated an individual by the name of Chris Perez resides at the delivery address. The U.S. Postal Service did not deliver the subject parcels and held them for the U.S. Postal Inspection Service.

On Monday, June 3, 2013, Postal Inspector Marc Kudley retrieved the two Priority Mail parcels from the Rocky River Post Office and transported them back to the U.S. Postal Inspection Service Cleveland Field Office for further investigation. Kudley has identified these as suspect drug parcels based on a number of characteristics, including but not limited to the type of mail, origin, destination and size.

The subject parcels are further described as white Priority Mail Medium Flat Rate boxes measuring approximately 6" X 8.75" X 11" and weighing approximately 2 pounds each. The subject Priority Mail parcels were mailed on May 30, 2013, from the Los Angeles, California 90017 Post Office and each bore \$12.35 in U.S. Postage. Kudley knows California has historically been a source area for mailed controlled substances into Northern Ohio.

Kudley knows from training and experience that Priority Mail is commonly used to transport controlled substances because the Priority Mail system provides traceability and reliable delivery. Further, the expected timeliness of Priority Mail places time pressures on law enforcement agents to identify, search and deliver these drug parcels in a timely manner.

In furtherance of the investigation, Kudley made inquiries with Accurant, an electronic database that has proven reliable in previous investigations in determining the legitimacy of name and address information, concerning the subject delivery address of 19850 Parklane Rd, Rocky River, OH 44116 and was unable to associate the name Brody Baum at the delivery address. Kudley identified an individual by the name of Melanie Perez at the delivery address. According to public information, Melanie Perez's maiden name is "Baum."

Kudley also made inquiries with Accurant concerning the return address of 315 W 6th St Apt 901, Los Angeles, CA 90071 and was unable to associate the name Randy Stewart at the return address.

Kudley knows based on his training and experience, that individuals using the U. S. Mails for the purpose of transporting controlled substances will often place fictitious address and/or name information on these parcels to conceal their true identities from law enforcement should the parcel be seized.

Kudley learned that the subject delivery address of 19850 Parklane Rd, Rocky River, OH 44116 was the subject of prior drug investigations involving the U.S. Postal Inspection Service and local police departments. The property at the delivery address is currently owned by Dominic George, son of Raymond George. Raymond George is currently serving a prison sentence for the interstate transportation and sales of marijuana and cocaine from California to the Midwest.

On June 3 2013, the subject Priority Mail parcels were individually subjected to "Jet", a narcotic detection canine handled by Detective Antonio Colon of the Cleveland, Ohio Police Department. Jet gave a positive alert on the subject parcels. Such was observable by his handler, Detective Antonio Colon. According to Detective Colon, this positive alert meant Jet detected the odor of an illegal drug emanating from the parcels.

Detective Colon and trained narcotics canine Jet have worked together since 2002. Detective Colon and canine Jet were both certified in 2002 by the Ohio Peace Officers Training Academy (OPOTA) as a specialty purpose K-9 team, narcotic detection. During this time, Jet was trained and certified to alert to the presence of the odors from Ecstasy, marijuana, cocaine, heroin, hash, and methamphetamine. Detective Colon has been trained how to handle a detector K-9 and read their alerts. Detective Colon and Jet were most recently recertified in July of 2010.

Based on the information contained herein, Kudley maintained there was probable cause to believe that the U.S. Postal Service Priority Mail parcels bearing tracking numbers 420441169505500034933150000048 and 420441169505500034933150000031, addressed to Brody Baum, 19850 Parklane Rd, Rocky River, OH 44116, with return addresses of Randy Stewart, 315 W 6th St Apt 901, Los Angeles, CA 90071 contain controlled substances, and/or proceeds which are evidence thereof, and/or contraband, in violation of Title 21, United States Code, Section 841(a)(1).

On June 3, 2013, Kudley obtained federal search warrants from the Honorable Gregory A. White, Magistrate Judge in the Northern District of Ohio, Eastern Division. Execution of the search warrant for Priority Mail parcel bearing tracking number 420441169505500034933150000048 identified approximately 6.2 ounces of suspect marijuana concealed in four separate zip lock bags, two plastic zip lock containers and wrapped in a shirt. The zip locks bags were greased in Vaseline. Execution of the search warrant for Priority Mail parcel bearing tracking number 420441169505500034933150000031 identified approximately 3.45 ounces of suspect

marijuana (field test positive) concealed in two separate zip lock bags, two plastic zip lock containers and wrapped in a white towel. The zip lock bags were greased in Vaseline.

On June 3, 2013, Kudley contacted Jeff Capretto, Special Agent in Charge of the Western Enforcement Bureau (WEB). Capretto advised he is familiar with the delivery address and had been involved with prior search warrants at the residence when it was occupied by the George family. WEB expressed interest in conducting a controlled delivery in attempt to identify the intended recipient(s) of the subject parcels.

On June 4, 2013, investigators from the U.S. Postal Inspection Service and WEB conducted a controlled delivery of the subject Priority Mail parcels to 19850 Parklane Rd, Rocky River, OH 44116. An electronic beacon and GPS device were placed inside Priority Mail parcel bearing tracking number 420441169505500034933150000048. At approximately 12:30 PM, Inspector Kudley, acting in an undercover capacity as a USPS Letter Carrier, arrived at the delivery address in a USPS vehicle. As Kudley exited the USPS vehicle with the subject parcels, he overheard a female voice yelling, "Brody. Come here Brody." Kudley recalled that the subject parcels were addressed to "Brody Baum." As Kudley approached the front porch of the delivery address, he witnessed two females, two children and a dog outside in front of the residence. A female later identified as Melanie Perez was standing on the front porch holding a child. Another female later identified as Claire Kelly was sitting on the stairs of the front porch. Kudley presented the subject parcels to Melanie Perez, showed her the labels and asked if the name "Brody Baum" was good at the delivery address. Melanie Perez advised the addressee name was good and stated the parcels were for the dog, which was named "Brody." Melanie Perez instructed Kudley to place the subject parcels on the front porch. After placing the subject parcels on the front porch, Kudley returned to the USPS vehicle and left the area.

Several minutes later, Kudley observed via WEB radio communications that an individual identified as Chris Perez arrived at the delivery in a black Audi convertible. Several minutes later, investigators observed Chris Perez and Melanie Perez enter the Audi and subsequently travel toward Lakewood, Ohio. At this time, the electronic monitoring devices did not indicate that the subject parcels were being moved or opened; therefore investigators continued surveillance on the delivery address. Investigators observed Chris and Melanie Perez stop at a restaurant in Lakewood, Ohio.

At approximately 1:15 PM, while driving by the subject address, Capretto observed that the subject parcels were no longer on the front porch of the delivery address.

At approximately 1:46 PM, investigators observed that the Chris and Melanie Perez left the restaurant in Lakewood, Ohio. Investigators continued surveillance on the delivery address.

At approximately 3:36 PM, Chris and Melanie Perez had not returned to the delivery address and the decision was made by WEB to execute the search warrant at the delivery

address. Present in the residence during the execution of the search warrant were Claire Kelly (babysitter) and two children, whom were sleeping. Investigators located the two subject parcels on the lower level patio outside the basement sliding door. WEB obtained a written statement from Claire Kelly.

Chris Perez and Melanie Perez arrived home at approximately 4:00 PM.

At approximately 4:10 PM, Postal Inspector Kudley and Detective Tracey Hill of the Rocky River Police Department interviewed Chris Perez at 19850 Parklane Rd, Rocky River, OH 44116. Perez was advised of his Miranda rights. Perez acknowledged he understood his rights by signing the WEB document presented by Hill. Perez also stated he wished to answer investigators' questions at this time.

Kudley advised Perez that there was a total of approximately 9.65 ounces of marijuana in two Priority Mail parcels that were delivered to his residence earlier on this day. Perez stated he was not home at the time of delivery and did not know anything about the subject parcels. Perez said he did not think the parcels were intended for his wife, Melanie Perez. Kudley asked Perez if the parcels were intended for him. Perez stated he wanted to speak with an attorney. The interview was terminated. Perez then asked about the laws in the State of Ohio with regard to the possession of marijuana. Kudley explained that the Western Enforcement Bureau will be the lead agency for this investigation going forward and his attorney can contact them.

At approximately 4:30 PM, Postal Inspector Kudley and Detective Tracey Hill of the Rocky River Police Department interviewed Melanie Perez at 19850 Parklane Rd, Rocky River, OH 44116. Perez was advised of her Miranda rights. Perez acknowledged she understood her rights by signing the WEB document presented by Hill. Perez also stated she wished to answer investigators' questions at this time.

Kudley advised Perez that there was a total of approximately 9.65 ounces of marijuana in two Priority Mail parcels that were delivered to her residence earlier on this day. Perez stated she thought the subject parcels were for her dog "Brody." Perez stated she did not know the contents of the two subject parcels. Perez stated she did not order anything for her dog recently, nor was she expecting anything for her dog to arrive in the mail. Perez stated she does not know anyone who lives in California, where the parcel was mailed. Perez stated her husband, Chris Perez, knows many people in California due to his profession. Perez suggested that a fan may have sent the parcels to their residence without their knowledge. Perez confirmed that her maiden name is "Baum." Perez stated the subject parcels and contents were not hers. When asked if the subject parcels and contents were intended for Chris Perez, she stated, "What did Chris say?" Perez stated she did not purchase the marijuana that was mailed to her residence. Perez stated she does not smoke marijuana. Perez confirmed that her husband had drug paraphernalia in their residence, which was seized by investigators on this day.

Perez stated she brought the subject parcels inside the residence after they were delivered and placed them by the front door. Perez stated she did not move the subject parcels

outside on the lower level patio. Perez stated that to her knowledge, neither the babysitter, nor the children moved the subject parcels outside on the lower level patio. Perez stated that other than herself, the babysitter and two children; nobody else was inside the house. Perez stated Chris came home shortly after the subject parcels were delivered. Perez stated she did not know if Chris moved the subject parcels outside. Perez stated she and Chris left the residence and went to lunch and a movie.

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